

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 91, 204-206 and 208 have been rejected under 35 U.S.C. § 112, second paragraph, as being vague and indefinite; Claims 5-15, 17-20, 22-31, 91, 119, 138-141, 156, 157, 162, 163, 184-203, 233-235, 239-244, 253, 254 and 256 have been rejected under 35 U.S.C. § 102 as being anticipated by Smith et al.; Claims 1-4, 32-50, 96-118, 120-137, 142-155, 158-161, 164-183, 207, 209, 232, 236-238, 245-252, 255 and 257-260 have been allowed; and Claims 16 and 21 have been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Considering first then the Examiner's rejection of Claims 91, 204-206 and 208 under 35 U.S.C. § 112, second paragraph, it is to be noted that each of Claims 91, 204 and 208 have now been amended for compliance with 35 U.S.C. § 112.

With respect to the rejection of the above-noted claims under 35 U.S.C. § 102 as being anticipated by Smith, Applicants note that Claim 16 was indicated as containing allowable subject matter in that such claimed a guard which has a safety guard edge angle smaller than a blade edge angle of the blade. For this reason, each of the independent claims rejected as being anticipated by Smith have now been amended so as to include either the same language as Claim 16 or substantially the same language, depending upon need for proper antecedent basis. It is therefore submitted that each of the above-noted claims, including all claims dependent therefrom, patentable define over Smith et al., particularly insofar as Smith et al. does not teach a surgical device having a guard with a safety guard edge angle smaller than a blade edge angle of the blade, as has been acknowledged by the Examiner.

The Examiner's indication of allowance of the above-noted claims as mentioned in paragraph 4 of the Office Action is hereby acknowledged and is sincerely appreciated.

Lastly, as for the objection of Claims 16 and 21, it is noted that the language of Claim 16 has now been incorporated into Claim 13. In addition, the language of Claim 21 has now been incorporated into Claim 20.

In view of the foregoing, an early and favorable Office Action is believed to be in order and the same is hereby respectfully requested.

Respectfully submitted,

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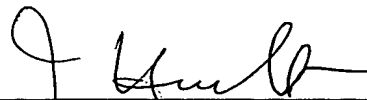
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